

Docket Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk MC 105
P.O. Box 13087
Austin, TX 78711-3087

2009 JUL 20 PM 3:48

CHIEF CLERKS OFFICE

Dear Sir or Madam,

With all due to respect I would like to resubmit my plea for your consideration.

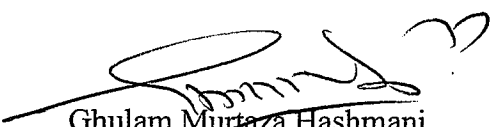
In reference to the fill pipe drop tube within six inches of the UST bottom. A contractor installed these fill pipe drop tubes. It is my understanding that the contractors are registered with TECQ and they follow the guidelines set forth by the agency. These same fill pipes were inspected multiple times from 2001-2003 when TECQ inspectors passed me. When in 2008 TCEQ Inspector Michelle Sherlock only checked the first two tanks on the third tank her tool did not work properly. However she said that all three needed to be changed immediately. I followed her instructions and immediately replaced all three which cost me over two thousand dollars. Even though the tool used by the inspector was used many times previously on the same tanks.

In reference to monitoring conducting daily inventory control and monthly reconciliation I showed the inspector the method on my computer. The method I was using had been told to me as the proper method by other inspectors since 2001. Again, since the new inspector asked me to change the procedures I have been following the new procedures since that time.

As far as UST's registration it has been kept up to date since 2001. We filed the application and registered within thirty days as same as we have been doing since 2001.

I cannot afford a lawyer to represent me in this hearing due to economic hardship. It is already getting harder and harder to keep my business running. I plead to the committee to kindly reconsider the penalties. I am a law abiding environmentally conscious citizen, did not break any laws, and corrected all procedures as soon as told by the inspector.

Thank you,


Ghulam Murtaza Hashmani
President of Mary Service Center

7-17-2009

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 3, 2009

TO: SEE SERVICE LIST

RE: Opportunity to Comment on the State Office of Administrative Hearings Proposal for Decision and Order regarding **Mary's Automotive, Inc. dba Mary's Service Center, TCEQ Docket No. 2008-0776-PST-E & SOAH Docket No. 582-09-1616**

Please be informed that the following notice was published in the *Texas Register* for a 30-day comment period:

The State Office of Administrative Hearings issued a Proposal for Decision and Order to the Texas Commission on Environmental Quality on **June 30, 2009**, in the matter of the **Executive Director of the Texas Commission on Environmental Quality, Petitioner v. Mary's Automotive, Inc. dba Mary's Service Center; SOAH Docket No. 582-09-1616; TCEQ Docket No. 2008-0776-PST-E**. The commission will consider the Administrative Law Judge's Proposal for Decision and Order regarding the enforcement action against **Mary's Automotive, Inc. dba Mary's Service Center** on a date and time to be determined by the Office of the Chief Clerk in Room 201S of Building E, 12100 N. Interstate 35, Austin, Texas. This posting is Notice of Opportunity to Comment on the Proposal for Decision and Order. The comment period will end 30 days from date of this publication. Written public comments should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. If you have any questions or need assistance, please contact Melissa Chao, Office of the Chief Clerk, (512) 239-3300..

This notice was published in the *Texas Register* on **July 10, 2009**. Written public comments should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. Should you have any questions, please call Melissa Chao or me at (512) 239-3300.

Sincerely,

A handwritten signature in cursive script, appearing to read "LaDonna Castañuela".

LaDonna Castañuela
Chief Clerk

LDC/mt